

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

HEATHER CAROLYN BURNETTE,)
)
 Case No. 1:19-cv-286
Plaintiff,)
)
 Judge Travis R. McDonough
v.)
)
 Magistrate Judge Susan K. Lee
JACKIE DARRELL PENDERGRASS,)
JR.,)
)
Defendant.)

ORDER

This action was removed to this Court on September 27, 2019. (Doc. 1) On October 9, 2019, Defendant Jackie Pendergrass, Jr., filed an application for leave to proceed *in forma pauperis* (Doc. 4). On October 17, 2019, United States Magistrate Judge Susan K. Lee considered Defendant's application for leave to proceed *in forma pauperis* ("IFP") and found that Defendant had failed to establish federal jurisdiction over Plaintiff's child support petition. (Doc. 5, at 2.) Magistrate Judge Lee recommended that this matter be remanded back to the Juvenile Court for Hamilton County and that this federal case be closed. (*Id.*) Magistrate Judge Lee also recommended that Defendant's IFP application be denied as moot. (*Id.* at 2–3.)

Neither party filed timely objections to Magistrate Judge Lee's report and recommendation. Nevertheless, the Court has conducted a review of the report and recommendation, as well as the record, and agrees with Magistrate Judge Lee's well-reasoned conclusions. Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Lee's report and recommendation (Doc. 5) and will **ORDER** as follows:

1. This action will be **REMANDED** to the Juvenile Court for Hamilton County;

2. Defendant's application for leave to proceed *in forma pauperis* (Doc. 4) will be **DENIED AS MOOT**; and
3. The Clerk will be **DIRECTED** to close the case.

AN APPROPRIATE JUDGMENT WILL ENTER.

SO ORDERED.

/s/ Travis R. McDonough

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**